

**RULES
OF
THE TENNESSEE DEPARTMENT OF STATE**

**CHAPTER 1360—1—2
FILING OF RULES**

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1360—1—2—.01 DEFINITION OF RULES.

- (1) The term "rules" shall mean rulemaking hearing rules, proposed rules, emergency rules, and public necessity rules.
- (2) The term "rulemaking hearing rules" shall mean those rules filed by an agency after a rulemaking hearing is conducted pursuant to *T.C.A. §4—5—202*.
- (3) The term "proposed rules" shall mean those rules filed by an agency without a rulemaking hearing pursuant to *T.C.A. §4—5—205*.
- (4) The term "emergency rules" shall mean those rules filed by an agency where there is an immediate danger to the public health, safety, or welfare pursuant to *T.C.A. §4—5—208*.
- (5) The term "public necessity rules" shall mean those rules filed by an agency where:
 - (a) the rule only delays the effective date of another rule that is not yet effective; or
 - (b) it is required by the constitution, or court order; or
 - (c) it is required by an agency of the federal government and adoption of the rule through ordinary rulemaking procedures described in this chapter might jeopardize the loss of a federal program or funds.

Authority: *T.C.A. §§4—5—202, 4—5—205, 4—5—208 and 4—5—209. Administrative History:* (For history prior to June 22, 1984 see pages 1-1. 001.) Repeal and new rule filed May 23, 1984; effective June 22, 1984.

1360—1—2—.02 PAPER SIZE AND MARGINS.

- (1) All rules filed with the Department of State must be on white, medium bond paper, size eight and one-half by eleven inches (8½" x 11). With a one and one-half inch (1½") margin on the left-hand side of each page and one inch (1") at the top and bottom and on the right-hand side of each page.

Authority: *T.C.A. §§4—5—202, 4—5—205, 4—5—208 and 4—5—209. Administrative History:* (For history prior to June 22, 1984 see pages 1-1. 001.) Repeal and new rule filed May 23, 1984; effective June 22, 1984.

1360—1—2—.03 NUMBERING SYSTEM.

- (1) Control Number. A four digit control number has been assigned to each state agency authorized by law to make rules or determine contested cases. This control number will be used on all rules filed for

(Rule 1360-1-2-.03, continued)

publication with the Department of State pursuant to the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

(2) Numbering Rules.

(a) A numbering system shall be used for all rules filed with the Department of State which shall clearly show the control number assigned to the agency followed by a dash (Example: The Department of Labor control number is 0800). The control number shall be followed by another number designating a major division or primary subject matter within the agency to be followed by a dash. These division or primary subject matter numbers shall be assigned in numerical order beginning with the number 1, to each such division or primary subject matter within the agency. (Example: The Division of Occupational Safety and Health of the Department of Labor is designated by 0800—1—5.) Within a major division or primary subject matter, subdivisions or secondary subject matter shall be designated by a third number corresponding to the chapter number of a group of rules. This third number shall be assigned to each subdivision or secondary subject matter within a division or primary subject matter in numerical order beginning with the number 1. (Example: Within the Division of Occupational Safety and Health; the secondary subject matter dealing with Safety and Health Provisions for the Public Sector, is designated by 0800— 1—5.) Rules within a secondary subject matter shall be designated by a decimal number beginning with .01. Each rule shall also have a catchline designating the substance of that rule which shall be placed beside the number of the rule, and shall be in capital letters. (Example: Rule 0800—1—5—.01 PURPOSE AND SCOPE.)

(b) Where the agency is small and its functions are limited to one particular area, the second number designating the major division or primary subject matter may be dispensed with. (Example: The first rule of the Board of Pharmacy is designated 140—1—.01 GENERAL PROVISIONS.)

(3) Rule Structure— All separate parts of a rule shall be designated by a letter or number. Rules shall be organized, numbered, and referenced according to the following outline form:

(1) Paragraph

(a) Subparagraph

1. part

(i) subpart

(I) item

I. subitem

A. section

(A) subsection

Authority: T.C.A. §§4—5—206, 4—5—220, and 4—5—221.. **Administrative History:** (For history prior to June 22 1984 see pages 1-1.001. Repeal and new rule filed May 23, 1984; effective June 22, 1 984. Amendment filed June 12, 1995; effective October 27, 1995.

1360—1—2—.04 STYLE AND FORMAT.

- (1) A proposed rule, rulemaking hearing rule, emergency rule, or public necessity rule filed in the Department of State will require the following:
 - (a) four (4) original documents with original signatures;
 1. The following guidelines apply to the formatting of the document:
 - (i) the documents must be clean and legible copy;
 - (ii) use caps and lower case in all text. No “all caps”;
 - (iii) no bold, underline, or italic fonts.
 - (b) a 3.5” diskette containing all language appearing in the document.
 1. The file must be in a state accepted software program. (Example: Microsoft Word or WordPerfect). Any other word processing formats should be discussed with the Publications Division prior to filing.
 2. The disk should be labeled to include the following information:
 - (i) file name;
 - (ii) software program and version;
 - (iii) chapter and rule number;
 - (iv) name, address, and telephone number of technical contact who created the disk file.
- (2) Rules presented for filing and of more than one page in length must have each page numbered in the upper right-hand corner in the following manner:
 - (a) page ___ of ___ pages.
- (3) Each rule filed with the Department of State shall clearly show at the bottom of that rule the statutory authority (rulemaking as well as substantive) for such rule, except that where a particular group of rules has the same statutory authority, that authority need only be cited once at the end of that group of rules. This does not apply to the filing of the entire chapter
- (4) All rules filed with the Department of State shall be certified.
- (5) If a new rule supersedes a rule being repealed, the repealed rule number must be cited, and if possible, the new rule shall be designated by the same number as the rule being repealed or amended if the subject is the same.
- (6) New rules and amendments may be filed together with the same set of signatures so long as they are grouped together and separated by the headings “New rules” and/or “Amendments”. When filing multiple amendments involving more than one rule and/or chapters within one document, the amendments must be in numeric order.
- (7) The name, address, and telephone number of the agency contact responsible for proofing and approval of the final copy before publishing.

(Rules 1360-1-2-.04, continued)

- (8) The following form should be used for all rulemaking hearing rules. For an example of a rulemaking hearing rule, refer to Appendix B.

Page ___ of ___ pages.

Rulemaking Hearing Rules
of
(Agency Name)
(Division Name)

Chapter (Numbers)
(Chapter Name)

Instructions — Do Not Retype. Choose the appropriate category — New rules, amendments, or repeals.

New rules

Table of Contents

Instructions — Do Not Retype. List table of contents in a flush left single column. Only New rules should appear. Do not list entire contents of chapter.

Page __ of __ pages.

0000—1—2—.01 (Rule Title)

0000—1—2—.02 (Rule Title)

0000—1—2—.03 (Rule Title)

0000—1—2—.01 (Rule Title).

(Statement of the substance of the rule).

Authority: (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

0000—1—2—.02 (Rule Title).

(Statement of the substance of the rule).

Authority: (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

(Rule 1360—1—2—.04, continued)

Page__ of __ pages.

0000—1—2—.03 (Rule Title).

(Statement of the substance of the rule).

Authority: (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

Amendments

Rule 0000—1—2—.01 (Rule Title) is amended by (deleting or adding) the following language (describe placement of deletion or addition, so that, as amended, the rule shall read:

(Give Text of Amended Rule)

Authority: (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

Subparagraph (a) of paragraph (1) of rule 0000—1—2—.01 Rule Title is amended by (deleting or adding) the following language (describe placement of deletion or addition) so that, as amended, the (paragraph or subparagraph) shall read:

(Give Text of Amended Paragraph or Subparagraph)

Authority (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

Repeals

Rule 0000—1—2—.01 (Rule Title) is repealed.

Authority: (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter);

Legal Contact and/or party who will approve final copy for publication:

_____(Name)_____

_____(Address)_____

_____(Telephone)_____

Contact for disk acquisition: _____(Name)_____

_____(Address)_____

_____(Telephone)_____

(Rule 1360—1—2—.04, continued)

Page__ of __ pages.

Signature of the agency officer or officers directly responsible for proposing and/or drafting these rules:

 (Signature)
 (Name of Officer)
 (Title of Officer)

 Instructions — Do Not Retype. Use only if roll—call was taken. Add or subtract lines as necessary.

The roll-call vote by the (Department or Agency) on these rulemaking hearing rules was as follows:

	Aye	No	Abstain
(Name of Board Member)	_____	_____	_____

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the (Department or Agency) on the ____ day of _____, 19 ____.

Further, I certify that the provisions of *T.C.A. §4—5—222* have been fully complied with, that these rules are properly presented for filing, a notice of rulemaking hearing has been filed in the Department of State on the ____ day of _____, 19 ____ and such notice of rulemaking hearing having been published in the _____, 19 ____ issue of the Tennessee Administrative Register, and such rulemaking hearing having been conducted pursuant thereto on the ____ day of _____, 19 ____.

 (Signature)
 (Name of Officer)
 (Title of Officer)

Subscribed and sworn to before me this the ____ day of _____, 19 ____.

 (Signature)
 Notary Public

My commission expires on the ____ day of _____, 19 ____.

(Rule 1360—1—2—.04, continued)

Page ___ of ___ pages.

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

(Signature)
(Name of Attorney General)
Attorney General and Reporter

The rulemaking hearing rules set out herein were properly filed in the Department of State on the ___ day of _____, 19 _____.and will become effective on the ___ day of _____, 19 _____.

(Signature)
(Name of Secretary of State)
Secretary of State

By: _____(Signature)

- (9) The following form should be used for all proposed rules. For an example of a proposed rule, refer to Appendix C.

Page ___ of ___ pages.

Proposed Rules
of
(Agency Name)
(Division Name)

Chapter (Numbers)
(Chapter Name)

Presented herein are proposed (rules, amendments, and/or repeals) of the (department or agency) submitted pursuant to T.C.A. §4—5—202 in lieu of a rulemaking hearing. It is the intent of the (department or agency) to promulgate these rules without a rulemaking hearing unless a petition requesting such hearing is filed within thirty (30) days of the publication date of the issue of the Tennessee Administrative Register in which the proposed (rules, amendments and/or repeals) are published. Such petition to be effective must be filed in (room number) of the (building) located at (street address, city, and state) and in the Department of State, Eighth Floor, Tennessee Tower, William Snodgrass Building, 312 8th Avenue North, Nashville, TN 37243, and must be signed by twenty-five (25) persons who will be affected by the rule, or submitted by a municipality which will be affected by the rule, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

For a copy of this proposed rule, contact: (name), (address), (agency), and (telephone number).

(Rule 1360—1—2—.04, continued)

Page __ of __ pages

The text of the proposed (rules, amendments and/or repeals) is as follows:

Instructions — Do Not Retype. Choose the appropriate category — New rules, amendments, or repeals.

New rules

Table of Contents

Instructions — Do Not Retype. List table of contents in a flush left single column. Only New rules should appear. Do not list entire contents of chapter.

0000—1—2—.01 (Rule Title)

0000—1—2—.02 (Rule Title)

0000—1—2—.03 (Rule Title)

0000—1—2—.01 (Rule Title).

(Statement of the substance of the rule).

Authority: (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

0000—1—1—.02 (Rule Title).

(Statement of the substance of the rule).

Authority: (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter.)

0000—1—1—.03 (Rule Title).

(Statement of the substance of the rule).

Authority: (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

Amendments

Rule 0000—1—2—.01 (Rule Title) is amended by (deleting or adding) the following language (describe placement of deletion or addition) so that as amended the rule shall read:

(Give Text of Amended Rule)

Authority: (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

Subparagraph (a) of paragraph (1) of rule 0000—1—2—.01 (Rule Title) is amended by (deleting or adding) the following language (describe placement of deletion or addition) so that as amended the (paragraph or subparagraph) shall read:

(Give Text of Paragraph or Subparagraph)

Authority: (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

(Rule 1360—1—2—.04, continued)

Page __ of __ pages.

Repeals

Rule 0000—1—1—.01 (Rule Title) is repealed.

Authority: (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

Legal Contact and/or party who will approve final copy for publication:

_____(Name)_____

_____(Address)_____

_____(Telephone)_____

Contact for disk acquisition: _____(Name)_____

_____(Address)_____

_____(Telephone)_____

Signature of the agency officer or officers directly responsible for proposing and/or drafting these rules:

_____(Signature)
 _____(Name of Officer)
 _____(Title of Officer)

 Instructions — Do Not Retype. Use only if roll-call was taken. Add or subtract lines as necessary.

The roll-call vote by the (Department or Agency) on these proposed rules was as follows:

	Aye	No	Abstain
(Name of Board Member)	_____	_____	_____

I certify that this is an accurate and complete copy of proposed rules lawfully promulgated and adopted by the (department or agency) on the ____day of _____, 19 ____.

(Rule 1360—1—2—.04, continued)

Page ____ of ____ pages.

The Secretary of State is hereby instructed that, in the absence of a petition for rulemaking hearing being filed under the conditions set out herein and in the locations described, he is to treat the proposed rules as being placed on file in his office as rules at the expiration of thirty (30) days after the publication date of the issue of the Tennessee Administrative Register in which these proposed rules are published.

(Signature)
(Name of Officer)
(Title of Officer)

Subscribed and sworn to before me this the ____ day of _____, 19 ____.

(Signature)
Notary Public

My commission expires on the ____ day of _____, 19 ____.

All proposed rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

(Signature)
(Name of Attorney General)
Attorney General and Reporter

The proposed rules set out herein were properly filed in the Department of State on the ____ day of _____, 19 ____, and pursuant to the instructions set out above, and in the absence of the filing of an appropriate petition calling for a rulemaking hearing, will become effective on the ____ day of _____, 19 ____.

(Signature)
(Name of Secretary of State)
Secretary of State

By: _____ (Signature)

(Rule 1360—1—2—.04, continued)

- (10) The following form should be used for all emergency rules. For an example of an emergency rule, refer to Appendix D.

Page __ of __ pages.

(Agency Name)
(Division Name in Capital Letters)

Instructions — Do Not Retype. The statement should explain the nature of the emergency rule making the emergency rules necessary.

Statement of Necessity Requiring Emergency Rules

For a copy of this emergency rule, contact: (name), (address), (agency), and (telephone number).

(Text of Statement)

(Signature)

(Name of Officer Proposing Rules)
(Title of Officer)

Emergency Rules
of
(Agency Name)
(Division Name)

Chapter (Numbers)
(Chapter Name)

Instructions — Do Not Retype. Choose the appropriate category — New rules, amendments, or repeals.

New rules

Table of Contents

Instructions — Do Not Retype. List table of contents in a flush left single column. Only New rules should appear. Do not list entire contents of chapter.

0000—1—2—.01 (Rule Title)
0000—1—2—.02 (Rule Title)
0000—1—2—.03 (Rule Title)

(Rule 1360—1—2—.04, continued)

Page __ of __ pages.

0000—1—2—.01 (Rule Title).

(Statement of the substance of the rule).

Authority: (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

0000—1—2—.02 (Rule Title) .

(Statement of the substance of the rule).

Authority (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

0000—1—2—.03 (Rule Title) .

(Statement of the substance of the rule).

Authority (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

Amendments

Rule 0000—1—2—.01 (Rule Title) is amended by (deleting or adding) the following language (describe placement of deletion or addition) so that as amended the rule shall read:

(Give Text of Amended Rule)

Authority: (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

Subparagraph (a) of paragraph (1) of rule 0000—1—2—.01 (Rule Title) is amended by (deleting or adding) the following language (describe placement of deletion or addition) so that as amended the (paragraph or subparagraph) shall read:

(Give Text of Paragraph or Subparagraph)

Authority: (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

Repeals

Rule 0000—1—2—.01 (Rule Title) is repealed.

Statutory Authority (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

Legal Contact and/or party who will approve final copy: _____(Name)_____

_____ (Address) _____

_____ (Telephone) _____

(Rule 1360—1—2—.04, continued)

Page __ of __ pages.

Contact for disk acquisition: _____ (Name) _____

_____ (Address) _____

_____ (Telephone) _____

Signature of the agency officer or officers directly responsible for proposing and/or drafting these rules:

_____ (Signature)
 _____ (Name of Officer)
 _____ (Title of Officer)

 Instructions — Do Not Retype. Use only if roll—call was taken. Add or subtract lines as necessary.

The roll—call vote by he (Department or Agency) on these proposed rules was as follows:

	Aye	No	Abstain
(Name of Board Member)	_____	_____	_____

I certify that this is an accurate and complete copy of emergency rules lawfully promulgated and adopted by the (department or agency) on the ____ day of _____, 19 ____.

_____ (Signature)
 _____ (Name of Officer)
 _____ (Title of Officer)

Subscribed and sworn to before me this the ____ day of _____, 19 ____.

_____ (Signature)
 _____ (Notary Public)

My commission expires on the ____ day of _____, 19 ____.

(Rule 1360—1—2—.04, continued)

Page __ of __ pages.

All emergency rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

 (Signature)
 (Name of Attorney General)
 (Attorney General and Reporter)

The emergency rules set out herein were properly filed in the Department of State on the __ day of _____, 19 ____, and will be effective from the date of filing for a period of ____ days. These emergency rules will remain in effect through the day of ____ day of _____, 19 ____.

 (Signature)
 (Name of Secretary of State)
 Secretary of State

By: _____ (Signature)

- (1) The following form should be used for all public necessity rules. For an example of a public necessity rule, refer to Appendix E.

Page __ of __ pages.

(Agency Name)
 (Division Name)

Instructions — Do Not Retype. The statement should explain the nature of the public necessity rule making the public necessity rules necessary.

Statement of Necessity Requiring Public Necessity Rules

(Text of Statement)

For a copy of this public necessity rule contact: (name), (address), (agency), and (telephone number).

 (Signature)
 (Name of Officer)
 (Title of Officer)

(Rule 1360—1—2—.04, continued)

Page __ of __ pages.

Public Necessity Rules
of(Agency Name)
(Division Name)Chapter (Numbers)
(Chapter Name)

Instructions — Do Not Retype. Choose the appropriate category — New rules, amendments, or repeals.

New rules

Table of Contents

Instructions — Do Not Retype. List table of contents in a flush left single column. Only New rules should appear. Do not list entire contents of chapter

0000—1—2—.01 (Rule Title)

0000—1—2—.02 (Rule Title)

0000—1—2—.03 (Rule Title)

0000—1—2—.01 (Rule Title).

(Statement of the substance of the rule).

Authority: (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

0000—1—2—.02 (Rule Title) .

(Statement of the substance of the rule).

Authority (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

0000—1—2—.03 (Rule Title) .

(Statement of the substance of the rule).

Authority (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

Amendments

Rule 0000—1—2—.01 (Rule Title) is amended by (deleting or adding) the following language (describe placement of deletion or addition) so that as amended the rule shall read:

(Rule 1360—1—2—.04, continued)

Page __ of __ pages.

(Give Text of Amended Rule)

Authority: (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

Subparagraph (a) of paragraph (1) of rule 0000—1—2—.01 (Rule Title) is amended by (deleting or adding) the following language (describe placement of deletion or addition) so that as amended the (paragraph or subparagraph) shall read:

(Give Text of Paragraph or Subparagraph)

Authority: (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

Repeals

Rule 0000—1—2—.01 (Rule Title) is repealed.

Statutory Authority (Rulemaking and Substantive) (Citation to T.C.A. or proper Public Chapter).

Legal Contact and/or party who will approve final copy: _____ (Name) _____

_____ (Address) _____

_____ (Telephone) _____

Contact for disk acquisition: _____ (Name) _____

_____ (Address) _____

_____ (Telephone) _____

Signature of the agency officer or officers directly responsible for proposing and/or drafting these rules:

(Signature)
(Name of Officer)
(Title of Officer)

Instructions — Do Not Retype. Use only if roll—call was taken. Add or subtract lines as necessary.

(Rule 1360—1—2—.04, continued)

Page __ of __ pages.

The roll—call vote by the (Department or Agency) on these proposed rules was as follows:

	Aye	No	Abstain
(Name of Board Member)	_____	_____	_____

I certify that this is an accurate and complete copy of public necessity rules lawfully promulgated and adopted by the (department or agency) on the ___ day of _____, 19 ____.

 (Signature)
 (Name of Officer)
 (Title of Officer)

Subscribed and sworn to before me this the ___ day of _____, 19 ____.

 (Signature)
 (Notary Public)

My commission expires on the ___ day of _____, 19 ____.

All public necessity rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

 (Signature)
 (Name of Attorney General)
 (Attorney General and Reporter)

The public necessity rules set out herein were properly filed in the Department of State on the ___ day of _____, 19 ____, and will be effective from the date of filing for a period of ____ days. These emergency rules will remain in effect through the day of ___ day of _____, 19 ____.

 (Signature)
 (Name of Secretary of State)
 Secretary of State

By: _____ (Signature)

(Rule 1360—1—2—.04, continued)

Authority: *T.C.A. §§4—5—202, 4—5—205, 4—5—208 and 4—5—209. Administrative History:* (For history prior to June 22, 1984 see pages 1 — 1. 001.) Repeal and new rule filed May 23, 1984; effective June 22, 1984. Amendment filed June 12, 1995; effective October 27, 1995. Amendment filed August 17, 1998; effective December 29, 1998.

1360—1—2—.05 ADDITIONAL REQUIREMENTS.

- (1) Summary.
 - (a) When a proposed rule, emergency rule, public necessity rule, or any document filed for publication in the monthly *T.A.R.* exceeds twenty-five (25) pages, an informative summary, not to exceed four (4) pages, must be filed along with the rule. This summary will be reproduced in the Tennessee Administrative Register. Rule 1360—1—2—.03 (1) shall apply to the summary.
 - (b) The summary shall contain the name, address, and telephone number of the agency contact responsible for copies of the rule filing by interested parties. The statement shall read as follows:
 1. “For a copy of the entire text of this (rule), contact: (name), (address), (agency), and (telephone number).”
- (2) Responses to Comments.
 - (a) When filing rulemaking hearing rules, a document containing responses to comments submitted at public hearing as prescribed by *T.C.A. §4—5—222* must accompany the rule filing. Only one (1) copy of the responses is required with the filing.
- (3) Government Operations Committees Legislative Oversight.
 - (a) The Secretary of State will forward the rule filings and the information submitted pursuant to *T.C.A. §4—5—225 (i)(1) through (9)* to the Government Operations Committee. This enables the required information to be received by the committee at the same time as it receives the rule filing, thus facilitating the committee's review of the rule filings.
 1. A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;
 2. A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;
 3. Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether the aforementioned urge adoption or rejection of this rule;
 4. Identification of any opinions of the attorney general and reporter or any judicial ruling which directly relates to the rule;
 5. An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based;

(Rule 1360—1—2—.05, continued)

6. Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;
 7. Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;
 8. Office address and telephone number of the agency representative or who will explain the rule at a scheduled meeting of the committees; and
 9. Any additional information relevant to the rule proposed for continuation which the committee requests.
- (4) When filing proposed rules or rule making hearing rules, two (2) complete copies of the entire chapter, as amended, shall be filed with the amendments in hard copy. A diskette containing the entire chapter shall also be filed.
- (a) This part of the filing shall contain complete administrative history after the cite of statutory authority. The date of the current filing and effective date shall be left blank. The Department of State will add the proper dates.
 - (b) These additional copies shall be numbered consecutively in whole page numbers at the bottom center of each page beginning with the number 1 (one).
 - (c) The Department of State will add headers, footers and complete the date filed and effective date of the administrative history.
 - (d) This additional part of the filing shall be point size 10 with bold and/or “ALL CAPS” for rule titles and paragraph headings or catchlines. All text shall be justified within the proper structure. For example, each paragraph shall be justified within the margins of the paragraph, each subparagraph shall be justified within the margins of the subparagraph, etc.
 - (e) A diskette which contains a template with proper tabulation and formatting shall be made available to requesting agencies by the Secretary of State.

Authority: T.C.A. §§4—5—202, 4—5—205, 4—5—208 and 4—5—209. **Administrative History:** Original rule filed June 12, 1995; effective October 27, 1995. Amendment filed August 17, 1998; effective December 29, 1998.

1360—1—2—.06 RESERVATION OF RIGHT OF WAIVER.

- (1) The Secretary of State reserves the right to waive any of the requirements for filing set out herein not required by statute. Such waiver will be evidenced by acceptance of rules for filing and inscribing thereon the usual signature, dates, and so on.

Authority: T.C.A. §§4—5—202, 4—5—205, 4—5—208 and 4—5—209. **Administrative History:** (For history prior to June 22, 1984 see pages I — 1. 001.) Repeal and new rule filed May 23, 1984; effective June 22, 1984. Amendment renumbering rule (formerly 1360—1—2—.05) filed June 12, 1995; effective October 27, 1995.